

**Notice of Allowability**

**Application No.**

09/816,896

**Examiner**

F. Ryan Zeender

**Applicant(s)**

HOFFMAN ET AL.

**Art Unit**

3627

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to communication received 2/14/2005.
2. ☒ The allowed claim(s) is/are 1-33.
3. ☒ The drawings filed on 06 July 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All   b) ☐ Some\*   c) ☐ None   of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 07/07/2001 (page 2 of 2)
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

### **REASONS FOR ALLOWANCE**

The following is an examiner's statement of reasons for allowance:

The prior art, Duffy et al., US2003/0212610A1 teach a means of handling contracts in a supply chain management framework including: supply chain management using a network; receiving data from supply chain participants; generating orders; and selecting, transmitting, and enforcing contract templates and template terms.

Duffy et al. lack the specific teaching of an independent supply chain manager pre-negotiating master contract parameters; electronically receiving sales information from a plurality of stores of a supply chain; specifically selecting a contract term and comparing the contract term to received data relating to the sale of products and then generating a contract communication if there is a discrepancy; maintaining an electronic database of details of the sales information, electronic orders to distributors, master contract parameters, and data from a supplier relating to the sale of products between the supplier and a distributor.

The prior art, Gourley, WO00/51038 teach a distribution management and inventory control system whereby data is received from a plurality of facilities and consolidated for all the facilities to aid in production planning.

Gourley lacks the teaching of an independent supply chain manager pre-negotiating master contract parameters; utilizing a contract template; specifically selecting a contract term and comparing the contract term to received data relating to

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the sale of products and then generating a contract communication if there is a discrepancy; maintaining an electronic database of details of the sales information, electronic orders to distributors, master contract parameters, and data from a supplier relating to the sale of products between the supplier and a distributor.

The prior art, "AGILE, ANDERSEN CONSULTING ANNOUNCE STRATEGIC ALLIANCE", PR Newswire, Sept. 6, 2000, teaches the use of an independent supply chain manager utilizing a software package for enabling seamless collaboration between supply chain members.

The PR Newswire article lacks the specific teaching of electronically receiving sales information from a plurality of stores of a supply chain; utilizing a contract template; specifically selecting a contract term and comparing the contract term to received data relating to the sale of products and then generating a contract communication if there is a discrepancy; maintaining an electronic database of details of the sales information, electronic orders to distributors, master contract parameters, and data from a supplier relating to the sale of products between the supplier and a distributor.

The limitations lacking in the prior art, in combination with the other limitations clearly claimed in the application for patent, are novel and unobvious.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

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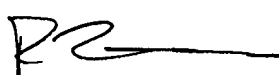
accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to F. Ryan Zeender whose telephone number is (703) 308-8351 before April 13, 2005 and (571) 272-6790 thereafter. The examiner can normally be reached on Monday-Friday, 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Olszewski can be reached on (703) 308-5183. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

F. Zeender  
Primary Examiner, A.U. 3627

 3/5/05  
F. RYAN ZEENDER  
PRIMARY EXAMINER